

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UPSTART GROUP LCC,

Plaintiff,

V.

THE UPSTART GROUP  
INCORPORATED,

Defendant.

CASE NO. 2:19-cv-01290-RAJ-BAT

## **ORDER LIFTING STAY AND CONSOLIDATING CASES**

On April 22, 2020, the Court denied Defendant The Upstart Group, Incorporated’s motion to dismiss or transfer and granting Defendant’s alternative motion to stay this action pending a determination by the United States District Court for the Northern District of Illinois in *The Upstart Group, Incorporated v. Upstart Group, LLC*, Case No. 1:19-cv-05405 (the “Illinois Action”) of Upstart Group’s motion to dismiss or transfer the Illinois Action for lack of personal jurisdiction and as a disfavored anticipatory suit. Dkt. 41. On August 5, 2021, United States District Judge Andrea R. Wood ordered the transfer of the Illinois Action to the Western District of Washington and on August 24, 2021, the

1 Illinois Action was transferred to this Court. Dkt. 44, Exhibit B. On September 1, 2021,  
2 the transferred Illinois Action was opened in this District as Case No. 2:21-cv-001193.

3 Thus, proceedings in this action may now be resumed. The parties do not object to  
4 lifting the stay ordered by this Court on April 22, 2020 and do not object to the  
5 consolidation of the Illinois Action. Dkt 44, 47.

6 Accordingly, it is **ORDERED**:

7 1. The stay ordered by this Court on April 22, 2020 is **LIFTED**;  
8  
9 2. Case No. 2:21-cv-001193-RAJ-BAT is consolidated with this case. The  
10 Clerk is directed to close Case No. 2:21-cv-001193.

11 3. Defendant The Upstart Group, Inc. shall answer or otherwise respond to the  
12 Complaint in this case within twenty-one (21) days of this Order.

13 DATED this 30th day of September, 2021.

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17 The Honorable Richard A. Jones  
18 United States District Judge  
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